

**ASSEMBLY BILL**

**No. 2101**

**Introduced by Assembly Member Bowler**

February 18, 1998

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An act to amend Section 248 of the Penal Code, relating to aircraft.

LEGISLATIVE COUNSEL'S DIGEST

AB 2101, as introduced, Bowler. Interference with the operation of aircraft.

Under existing law, any person who, with the intent to interfere with operation of a helicopter, willfully shines a light or other bright device, of an intensity capable of impairing the operation of a helicopter, at a helicopter, may be punished by a fine not exceeding \$1,000, or by imprisonment in a county jail not exceeding one year, or by both the fine and imprisonment.

This bill would make this provision applicable to any aircraft. By expanding the definition of an existing crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 248 of the Penal Code is  
2 amended to read:

3 248. Any person who, with the intent to interfere with  
4 the operation of a ~~helicopter~~ *an aircraft*, willfully shines  
5 a light or other bright device, of an intensity capable of  
6 impairing the operation of a ~~helicopter~~ *an aircraft*, at a  
7 ~~helicopter~~ *an aircraft*, shall be punished by a fine not  
8 exceeding one thousand dollars (\$1,000), or by  
9 imprisonment in a county jail not exceeding one year, or  
10 by both that fine and imprisonment.

11 SEC. 2. No reimbursement is required by this act  
12 pursuant to Section 6 of Article XIII B of the California  
13 Constitution because the only costs that may be incurred  
14 by a local agency or school district will be incurred  
15 because this act creates a new crime or infraction,  
16 eliminates a crime or infraction, or changes the penalty  
17 for a crime or infraction, within the meaning of Section  
18 17556 of the Government Code, or changes the definition  
19 of a crime within the meaning of Section 6 of Article  
20 XIII B of the California Constitution.

21 Notwithstanding Section 17580 of the Government  
22 Code, unless otherwise specified, the provisions of this act  
23 shall become operative on the same date that the act  
24 takes effect pursuant to the California Constitution.

